

HOUSE BILL NO. 777

INTRODUCED BY G. BRANAE

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A HISTORIC AND CULTURAL PROPERTIES COMMISSION; REQUIRING AN INTERIM STUDY; SPECIFYING DUTIES AND MEMBERSHIP OF THE COMMISSION; CREATING A STATE SPECIAL REVENUE ACCOUNT; PROVIDING AN APPROPRIATION; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

WHEREAS, the 59th Legislature is concerned about how the state manages heritage properties throughout the State of Montana; and

WHEREAS, the State of Montana owns many heritage properties and manages them on behalf of the public; and

WHEREAS, many heritage properties in Montana have been lost over time and many more are at risk today; and

WHEREAS, historic preservation is a recognized catalyst to economic development; and

WHEREAS, visitors are drawn to Montana for both our state's natural splendor and cultural heritage; and

WHEREAS, the people of Montana cherish their heritage as a legacy for tomorrow.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Historic and cultural properties commission. (1) There is a historic and cultural properties commission established to study and propose policy suggestions regarding the preservation of Montana's historic and culturally significant places. Activities of the commission include but are not limited to conducting an interim study:

(a) analyzing the role of publicly and privately held heritage properties in the state's cultural and economic future;

(b) evaluating state policy regarding management and stewardship of Montana's state-owned heritage properties;

(c) identifying the links between heritage properties and recreation and tourism;

1 (d) identifying potential funding resources to assist with the stewardship of heritage properties; and

2 (e) identifying options for securing the Boulder River school building as a state heritage property.

3 (2) The commission consists of 15 members. The presiding officer is the lieutenant governor or the
4 lieutenant governor's designee, who will select other members of the commission as follows:

5 (a) two members of the Montana senate, one from each political party;

6 (c) a representative of the Montana historical society;

7 (d) a representative of the Montana university system;

8 (e) a representative of the Montana department of commerce;

9 (f) a representative of the state tribes;

10 (g) a representative of state commercial and economic development interests;

11 (h) a representative of the department of fish, wildlife, and parks;

12 (i) a representative of the architecture and engineering division of the department of administration;

13 (j) a representative of the Montana heritage commission;

14 (k) a representative of state history and cultural interests; and

15 (l) a representative of the department of public health and human services.

16 (3) The members of the historic and cultural properties commission appointed pursuant to subsection
17 (2) may be reimbursed for expenses.

18 (4) The historic and cultural properties commission shall submit a final report of its findings and
19 recommendations to the state administration and veterans' affairs interim committee by September 15, 2006.

20 (5) The historic and cultural properties commission may recommend legislation to the 60th legislature
21 based on the commission's findings.

22 (6) There is a state special revenue account to the credit of the office of the governor. The account
23 consists of money allocated by the legislature and any gift, donation, grant, legacy, bequest, or devise made for
24 the purpose of funding the work of the historic and cultural properties commission.

25 (7) As used in this section, the term "heritage properties" means properties of historic and cultural
26 significance to the state of Montana.

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28 **NEW SECTION. Section 2. Transfer -- appropriation.** There is transferred from the state general fund
29 to the state special revenue account established in [section 1] \$40,000 to the credit of the office of the governor
30 for the biennium beginning July 1, 2005, to conduct the study provided for in [section 1]. The money in the

1 account is appropriated to the office of the governor for the purposes of [section 1].

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3 NEW SECTION. Section 3. Codification instruction. [Section 1] is intended to be codified as an
4 integral part of Title 22, chapter 3, and the provisions of Title 22, chapter 3, apply to [section 1].

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6 COORDINATION SECTION. Section 4. Coordination instruction. If House Bill No. 5 is passed and
7 approved with an appropriation for the historic and cultural properties commission, then [section 2 of this act]
8 is void.

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10 NEW SECTION. Section 5. Effective date. [This act] is effective on passage and approval.

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